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6 IN THE UNITED STATES DISTRICT COURT
7 DISTRICT OF ARIZONA

8
9 United States of America,

08-3374-M (LOA)

10 Plaintiff,

ORDER

11 vs.

12 Gonzalo Calderon-Acuna,

13 Defendant.
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15 Upon review of Defendant's Motion to Extend Time to Indict, there being no
16 objection from the government, and good cause appearing;

17 THE COURT makes the following findings:

- 18
- 19 1. Counsel for defendant has only recently been appointed;
 - 20 2. The defendant earnestly wishes to consider the plea offer extended by
21 the government;
 - 22 3. The defendant wishes to investigate possible defenses prior to
23 considering the government's plea offer;
 - 24 4. The government's plea offer, if accepted by the defendant and then the
25 court, would likely reduce defendant's exposure to a significant term
26 of imprisonment;
 - 27 5. If the defendant does not timely accept the plea offer prior to
28 indictment, the government will withdraw said plea offer and any
subsequent plea offer after indictment would likely be less
advantageous to the defendant;

7. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

IT IS FURTHER ORDERED that excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the government may present the case to the grand jury.


Edward C. Voss
United States Magistrate Judge